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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Kashane Kirk, *et al.*,

Plaintiffs,

vs.

City of Phoenix, *et al.*,

Defendants.

Case No. CV 23-00836-MTL (CDB)

**STIPULATION TO EXTEND
REMAINING DEADLINES**

Second Request

(Expedited Consideration Requested)

Plaintiffs Kashane Kirk, Sharon Roberts, and Brittnie Turner (collectively referred to hereinafter as “Plaintiffs”), and Defendants City of Phoenix, Phoenix Police Department, Chief Michael Sullivan, Officer Autumn Ladines, Officer Antonio Garza, Sergeant Eric Roy, Officer Jaclyn Ravelo, Officer Steven Ramirez, and Sergeant Jonathan Howard, (collectively referred to hereinafter as “Defendants”), by and through counsel undersigned respectfully stipulate and request the Court amend the current Scheduling Order (Doc. 39), as amended by the Court’s Order, dated August 19, 2024 (Doc.51), to extend the remaining deadlines ninety (90) days. This Stipulated Request is made in good faith and not for the

1 purpose of delay; it is also only the second request to extend the remaining deadlines in
2 this case.

3 The parties are requesting an extension of ninety (90) days for the remaining
4 deadlines for several reasons. Despite due diligence, counsel for the Parties have not had
5 adequate time to complete discovery and depositions in this case, although they have
6 exchanged disclosures and some discovery. Moreover, Defendants filed a renewed Motion
7 to Dismiss on November 22, 2024 (Doc. 64), which seeks to dismiss all claims in the case
8 pursuant to Rule 8 in addition to dismissal of specific claims pursuant to Rule 12. The
9 Parties anticipate that the Court's ruling on this Motion will allow them to more adequately
10 determine the necessary scope of discovery in this matter, including determining what
11 records, depositions, and expert testimony might be needed for the Parties to further
12 prepare their respective cases.

13 Additionally, counsel for the Parties also anticipate that once they know which
14 claims, if any, will survive the Motion to Dismiss, they will be better equipped to evaluate
15 and report on potential settlement, or other forms of alternative dispute resolution. Counsel
16 for the Parties have continued to have discussions about scheduling an early mediation in
17 this case, and they are trying to locate mediators and also need more time further engage
18 in discussions about the possibility of an early mediation being fruitful.

19 Thus, the Parties stipulate and respectfully request the Court agree to extend the
20 remaining deadlines (approximately) ninety (90) days, as set forth below and in the
21 attached proposed Order. The extensions requested will still allow for the dispositive
22 motions to be briefed well within two years of the filing of Plaintiff's Third Amended
23 Complaint (Dkt. 63), which is the current operative complaint and was filed on November
24 8, 2024, and within only about five (5) months following the two-year anniversary of the
25 initial complaint in this case.¹ And while this is technically the parties' second requested

26 ¹ Part of the reason for the current procedural posture with respect to this new Motion To

extension, it is the first extension requested after Plaintiffs filed their Third Amended Complaint. A proposed order is filed simultaneously herewith.

DEADLINE	CURRENT	PROPOSED
Engage in settlement talks	December 2, 2024	March 3, 2025
Joint report on settlement talks	December 9, 2024	March 10, 2025
Plaintiffs' expert disclosures	December 16, 2024	March 17, 2025
Defendants' expert disclosures	January 27, 2025	April 17, 2025
Disclosure deadline	December 16, 2024	March 17, 2025
Rebuttal expert disclosures	February 28, 2025	May 29, 2025
Expert depositions	April 24, 2025	July 23, 2025
Fact Discovery	March 24, 2025	June 23, 2025
Discovery motions	May 2, 2025	July 31, 2025
Dispositive motions	June 30, 2025	September 29, 2025

RESPECTFULLY SUBMITTED this 27th day of November, 2024.

BROENING OBERG WOODS & WILSON, P.C.

By /s/ Jeremiah M. Sullivan

Sarah L. Barnes
Jeremiah M. Sullivan
Kelley M. Jancitis
Jeremiah M. Sullivan
Attorney for Defendants

Dismiss is that Defendants' initial Motion to Dismiss, which also sought to dismiss the entire case as set forth in the initial Complaint, was pending for almost nine (9) months, and then Plaintiffs filed a Second Amended Complaint, pursuant to that ruling, and then their Third Amended Complaint on November 8, 2024.

1 MILLS + WOODS LAW, PLLC

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3 By /s/ Sean A. Woods (with permission)
4 Sean A. Woods
5 Robert T. Mills
6 *Attorneys for Plaintiffs*

7 **CERTIFICATE OF SERVICE**

8 I hereby certify that on November 27, 2024, I electronically filed the foregoing with the
9 Clerk's Office using the CM/ECF system for filing, and transmittal of a Notice of Electronic Filing
10 to the following CM/ECF registrant:

11 Sean A. Woods
12 Robert T. Mills
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15 Phoenix, Arizona 85014
16 *Attorneys for Plaintiffs*

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/s/ Suzanne Beard